

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**1. W.A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL OF)**

THE STATE OF OKLAHOMA and)

OKLAHOMA SECRETARY OF THE)

ENVIRONMENT C. MILES TOLBERT, in)

his capacity as the TRUSTEE FOR)

NATURAL RESOURCES FOR THE)

STATE OF OKLAHOMA,)

)

Plaintiff,)

)

vs.) CV-0329-JOE-SAJ

)

1. TYSON FOODS, INC.,)

2. TYSON POULTRY, INC.,)

3. TYSON CHICKEN, INC.,)

4. COBB-VANTRESS, INC.,)

5. AVIAGEN, INC.,)

6. CAL-MAINE FOODS, INC.)

7. CAL-MAINE FARMS, INC.)

8. CARGILL, INC.)

9. CARGILL TURKEY PRODUCTION,)

10. GEORGE'S, INC.,)

11. GEORGE'S FARMS, INC.,)

12. PETERSON FARMS, INC.,)

13. SIMMONS FOODS, INC., and)

14 WILLOW BROOK FOODS, INC.,)

)

Defendants,)

)

TYSON FOODS, INC., TYSON)

POULTRY, INC., TYSON CHICKEN,)

INC., COBB-VANTRESS, INC.,)

GEORGE'S INC., GEORGE'S FARMS,)

INC., PETERSON FARMS, INC.,)

SIMMONS FOODS, INC., and WILLOW)

BROOK FOODS, INC.)

)

Third-Party Plaintiffs,)

)

vs.)

)

1. CITY OF TAHLEQUAH,)
2. CITY OF WESTVILLE,)
3. CITY OF WATTS,)
4. SEQUOYAH FUELS)
INTERNATIONAL,)
5. EAGLE NURSERY, LLC A/K/A)
MIDWESTERN NURSERY)
CONTAINERS DIVISION,)
6. PARK HILL PLANTS & TREES, INC.,)
7. GREENLEAF NURSERY CO, INC.,)
8. NORTHLAND FARMS, LLC.)
9. WILLIAM D. LANGLEY,)
10. RONALD LEE AND LINDA S.)
FIDLER,)
11. FIDLERS BEND FARMS &)
TRADING CO., LLC.)
12. DARRELL MOSS,)
13. DARRYL CATES,)
14. MILDRED RAYLS WOODWARD,)
15. ANCIL MAGGARD,)
16. BRYAN SAND AND GRAVEL, INC.,)
17. JESSE T. PROCTOR,)
18. LENA AND GARNER GARRISON,)

19. BRAZIL CREEK MINERALS, INC.,)

20. JULIE A. AND JOHN E.)

COTHERMAN,)

21. HELEN WATTS, TRUSTEES OF THE)

HELEN WATTS REVOCABLE TRUST,)

22. SIMP WATTS, TRUSTEE OF THE)

SIMP WATT REVOCABLE TRUST,)

23. T&M SAND AND GRAVEL, INC.,)

24. HOBY FERRELL,)

25. GREATER TULSA INVESTMENTS,)

LLC,)

26. WAUHILLA OUTING CLUB,)

27. ONE DEGREE LAWN CARE AND)

LANDSCAPING,)

28. BIG JOHN'S,)

29. PRO LAWN SERVICES, INC.,)

30. THORNTON LAWN &)

EXTERMINATING, INC.,)

31. SPRING HOLLOW FEED MILL,)

INC.,)

32. TURF PROFESSIONAL.,)

33. CHERRY SPRINGS GOLF CLUB,)

INC.,)

34. LAKE COUNTRY RESORT, INC.,)

D/B/A TENKILLER GOLF CLUB,)

35. MILLIE SERATT TRUST,)

36. ILLINOIS RIVER RANCH)

RECREATIONAL VEHICLE PARK)

PROPERTY OWNERS)

ASSOCIATION,)

37. ILLINOIS RIVER RANCH)

PROPERTY OWNERS)

ASSOCIATION,)

38. FLINT RIDGE PROPERTY OWNERS)

ASSOCIATION, INC.,)

39. MARJORIE A. GARMAN,)

40. RIVERSIDE RV RESORT AND)

CAMPGROUND, LLC.)

41. FRATES PROPERTIES, INC.,)

42. BRIAN R. AND MARY C. BERRY,)

INDIVIDUALLY AND D/B/A TOWN)

BRANCH GUEST RANCH,)

43. AUSTIN L. AND LESLIE A.)

BENNETT, INDIVIDUALLY AND)

D/B/A EAGLE BLUFF RESORT,)

44. BARNACLE BILLS MARINA, LLC.)

45. PHILIP L. AND CHERYL D. BEAMAN,)

46. FALCON FLOATS, INC.,)

47. NORMA J. BROOKS,)

INDIVIDUALLY AND D/B/A)

COOKSON VILLAGE AND CABINS,)

48. BURNT CABIN MARINA AND)

RESORT, LLC.)

49. FIN & FEATHER RESORT, INC.,)

50. JAMES AND DOROTHY GENE LAMB,)

51. STRAYHORN LANDING MARINA)

& GENE'S SCUBA SALES,)

52. PINE COVE MARINA &)

CLEARWATER CAFÉ, INC.,)

53. JOHN T. POSEY, JR. TRUST,)

INDIVIDUALLY AND D/B/A)

MEADOW PARK RV PARK,)

54. SNAKE CREEK MARINA, LLC.)

55. ELK CREEK LANDING,)

56. FLINTRIDGE PARK, LLC.)

57. BILL STEWARD, INDIVIDUALLY)

AND D/B/A DUTCHMAN'S CABINS,)

58. TOM COTTON, INDIVIDUALLY)

AND D/B/A CHICKEN CREEK)

VILLAGE STORE,)

59. JOHN T. POSEY, JR.,)

60 GRAND VILLA, INC.,)

61. BISHOP H. AND WILMA F.)

WADSWORTH, INDIVIDUALLY)

AND D/B/A COOKSON LOG CABIN)

MOTEL,)

62. ARROWHEAD CAMP, INC.,)

63. DAVID AND BRENDA SPEARS,)

64. THUNDERBIRD RESORT, INC.,)

65. WAR EAGLE FLOATS, INC.,)

66. VERAMAN AND BILLIE DAVIS)

67. SNAKE CREEK WILDERNESS)

DEVELOPMENT, INC.,)

68. SIXSHOOTER RESORT AND)

MARINA, INC.,)

69. VIRGINIA M. AND ARCHIE R.)

PEYTON, JR. AS TRUSTEES OF)

THE PEYTON FAMILY TRUST,)

INDIVIDUALLY AND D/B/A)

PEYTON'S PLACE,)

70. JOHN T. AND GEORGE CRIPPS,)

71. EURMA WHITE, INDIVIDUALLY)

AND D/B/A BARON FORK CREEK)

CAMP,)

72. EWELL VAN AND ALICE L. EARL,)

INDIVIDUALLY AND D/B/A)

PETTIT BAY CABINS & GROCERY,)

73. KEVIN R. AND BARBARA L.)

KELLEY, INDIVIDUALLY AND)

D/B/A DIAMOND HEAD RESORT,)

74. KENNETH D AND JANE T.)

SPENCER, INDIVIDUALLY AND)

D/B/A SPENCER RIDGE RESORT,)

75. JAMES C. GEIGER,)

76. JACK AND BRENDA K. SPEARS,)

INDIVIDUALLY AND D/B/A PINE)

VALLEY CABINS,)

77. STEPHEN R., JENNI AND BRIAN R.)

HAMRICK, INDIVIDUALLY AND)

D/B/A HANGING ROCK CAMP AND)

STORE,)

78. TAHLEQUAH LIVESTOCK)

AUCTION, INC.)

79. GORDON W. AND SUSANN)

CLINTON,)

80. PERRY AND NORMA WILLIAMS,)

81. TWIN CITY CONSTRUCTION, INC.,)

82. EDDINGS ELMO,)

83. CHARLINE EDDINGS LONG,)

84. LADONNA EDDINGS CAVINESS,)

85. THOMAS E. EDDINGS,)

86. SUE EDDINGS SHANKLE,)

87. BONNIE EDDINGS KILE,)

88. FLOYD SIMMONS,)

89. WILLIAM J. AND CHERRIE)

HOUSE,)

90. RICKY AND TONYA FOWLER,)

91. BILLY D. AND NORMA GLENN,)

92. DAVID ALBERT AND BOBBIE ANN)

STRATTON,)

93. ROBERT A. AND SYLVIA S. SMITH,)

TRUSTEES OF THE ROBERT A.)

SMITH TRUST,)

94. ANNA MARIE SANDERS,)

95. DANNY E. AND CAROLYN HIX,)

96. DAVID R AND ROBIN L. WOFFORD,)

97. HASKELL L. BROWN,)

98. JOHN NICKLE,)

99. J5 RANCH, LLC,)

100. TOM TATE,)

101. SKELLY RANCH, INC.,)

102. GENE AND LORENE COLBURN,)

103. TRUSTEES OF THE JOHN E. AND)

VIRGINIA W. ADAIR FAMILY)

REVOCABLE TRUST,)

104. JOHN W. AND VIRGINIA W. ADAIR,)

105. CLARE LOUISE WELLS,)

INDIVIDUALLY AND D/B/A MX)

RANCH,)

106. LOUISE SQUYRES, INDIVIDUALLY)

AND D/B/A MX RANCH,)

107. SUZANNE M. ZEIDERS,)

108. BOBBY AND MARIAN WILLIAMS,)

INDIVIDUALLY AND D/B/A)

WILLIAMS DAIRY,)

109. BILLY SIMPSON, INDIVIDUALLY)

AND D/B/A SIMPSON DAIRY,)

110. RAY DEAN AND DONNA DOYLE,)

INDIVIDUALLY AND D/B/A)

SIMPSON DAIRY,)

111. CLIFTON WILLIAMS,)

INDIVIDUALLY AND D/B/A)

WILLIAMS DAIRY,)

112. JERRY D. AND CHRISTINA)

WILLIAMS, INDIVIDUALLY AND)

D/B/A SIMPSON DAIRY,)

113. DARRELL AND DIANNA GUFFEY,)

INDIVIDUALLY AND D/B/A)

SELDOM REST DAIRY,)

114. LARRY R AND CAROLYN R.)

LOCKWOOD,)

115. CHARLES W. AND KIMBERLEE)

WILSON)

116. WILLIE AND ELISE TARRANCE,)

117. ILLINOIS RIVER VALLEY)

NURSERY, INC.,)

118. KERMIT AND KATHERINE BROWN,)

119. DEAN WILMOTH,)

120. KATHERINE L. AND KEVIN W. TYE,)

121. THE HAYES FAMILY LIMITED)

PARTNERSHIP,)

122. FLINT CREEK FARM, LLC,)

123. JAMES THOMAS AND ERIN JONES,)

124. TIM AND ISABEL BAKER)

CO-TRUSTEES OF THE TIM AND)

ISABEL BAKER TRUST,)

125. DALE E. AND ELLEN MATHEWS)

CO-TRUSTEES OF THE DALE E.)

MATHEWS TRUST,)

126. CARL MERSEBURGH,)

127. GAIL B. WILTON,)

128. ROGER K. AND LINDA MATHIS)

CANADA,)

129. BILLIE D. HOWARD,)

130. RICHARD M. TAYLOR,)

131. IVAN MARION,)

132. DANIEL L. PARKER,)

133. BARTOW AND WANDA HIX,)

134. RICKEY JOE AND RITA HIX,)

135. JERRY W. HARE TRUSTEE OF)

JERRY WAYNE HARE)

REVOCABLE TRUST,)

INDIVIDUALLY AND D/B/A)

CRYSTAL CREEK RANCH,)

136. JERRY WAYNE AND MARY JO)

HARE, INDIVIDUALLY AND D/B/A)

CRYSTAL CREEK RANCH,)

137. MARY JO HARE TRUSTEE OF)

MARY JO HARE REVOCABLE)

TRUST, AND D/B/A CRYSTAL)

CREEK RANCH,)

138. ANTHONY WAYNE HARE,)

INDIVIDUALLY AND D/B/A)

CRYSTAL CREEK RANCH,)

139. FARRELL AND JACKIE HAMM,)

140. TONY MARCUS AND LAURA JANE)

HAMM,)

141. TOM AND DARYLENE HAMM,)

142. JIM R. BAGBY,)

143. JERRY AND ANN MEANS,)

144. JERRY AND DOROTHY ANN)

MEANS TRUSTEES OF THE)

DOROTHY ANN MEANS, TRUST,)

145. JERRY AND DOROTHY ANN)

MEANS TRUSTEES OF THE JERRY)

L. MEANS, TRUST.)

146. RONALD ALLEN AND COLLEEN)

BROWN,)

147. ALFRED E. AND CAROLYN S.)

HEMBREE,)

148. STEVEN WESLEY CAIN,)

149. WANDA L. DOTSON)

150. RIVER FARMS OF TAHLEQUAH,)

LLC.)

151. EVELYN PROCTOR,)

152. MARK AND MELISSA KELLY,)

153. PHILLIP DEWAYNE PROCTOR,)

154. M WESLEY AND BROOKS P.)

CONNOR,)

155. VERLIE B. SECRATT AS TRUSTEE)

OF THE VERLIE BERNIECE)

SECRATT REVOCABLE TRUST,)

156. JAMES D. AND SUSAN MORRISON,)

157. KENNETH E. DAVIS,)

158. TUMBLING T. BAR, LLC.)

159. EUGENE DILL, INDIVIDUALLY)

AND D/B/A COOKSON COUNTRY)

STORE AND CABINS,)

160. DORIS MARES, INDIVIDUALLY)

AND D/B/A COOKSON COUNTRY)

STORE AND CABINS,)

161. JOHN AND/OR JANE DOE(S) 1)

THROUGH 150.)

)

Third Party Plaintiffs.)

ANSWER

COMES NOW the City of Tahlequah and for its Answer to the Third-Party Plaintiffs complaint and allege and state as follows:

I. BACKGROUND

- Paragraph 1 of Third Party Plaintiff's Complaint is denied.
- Paragraph 2 of Third Party Plaintiff's Complaint is denied.
- Paragraph 3 of Third Party Plaintiff's Complaint is denied.
- Paragraph 4 of Third Party Plaintiff's Complaint is denied.
- Paragraph 5 of Third Party Plaintiff's Complaint is denied.
- Paragraph 6 of Third Party Plaintiff's Complaint is denied.

- Paragraph 7 of Third Party Plaintiff's Complaint is denied.
- Paragraph 8 of Third Party Plaintiff's Complaint is denied.
- Paragraph 9 of Third Party Plaintiff's Complaint is denied.

II. PARTIES

- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 10 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 11 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 12 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 13 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 14 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 15 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 16 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 17 of Third Party Plaintiff's Complaint and those allegations are therefore denied.
- This Third Party Defendant is without sufficient knowledge to admit or deny the allegations contained in Paragraph 18 of Third Party Plaintiff's Complaint and those allegations are therefore denied.

III. THIRD PARTY DEFENDANTS

- This Defendant admits that it is a State chartered municipal corporation in the State of Oklahoma. This Defendant admits that it owns and operates the Tahlequah City Golf Course. The remainder of Paragraph 19 of Third Party Plaintiffs Complaint is denied.

20-170. Paragraphs 20-170 relate to activities of other Third Party Defendants and do not involve any allegations involving the City of Tahlequah. This Defendant is without sufficient knowledge to admit or deny the contents contained in paragraphs 20-170 and the contents of those paragraphs are therefore denied.

IV. JURISDICTION AND VENUE

171. This Defendant admits that this Court has subject matter jurisdiction of this matter. The remainder of Paragraph 171 of Third Party Plaintiff's Complaint is denied.

172. Paragraph 172 of Third Party Plaintiff's Complaint is admitted.

173. Paragraph 173 of Third Party Plaintiff's Complaint is denied.

V. STATEMENTS OF FACT

A. The Underlying Lawsuit

174. Paragraph 174 of Third Party Plaintiff's Complaint is admitted.

175. Paragraph 175 of Third Party Plaintiff's Complaint is admitted.

176. Paragraph 176 of Third Party Plaintiff's Complaint is admitted.

177. Paragraph 177 of Third Party Plaintiff's Complaint is admitted.

178. Paragraph 178 of Third Party Plaintiff's Complaint is admitted.

179. Paragraph 179 of Third Party Plaintiff's Complaint is admitted.

180. Paragraph 180 of Third Party Plaintiff's Complaint is admitted.

181. Paragraph 181 of Third Party Plaintiff's Complaint is admitted.

182. Paragraph 182 of Third Party Plaintiff's Complaint is admitted.

183. Paragraph 183 of Third Party Plaintiff's Complaint is admitted.

184. Paragraph 184 of Third Party Plaintiff's Complaint is admitted.

185. Paragraph 185 of Third Party Plaintiff's Complaint is admitted.

186. Paragraph 186 of Third Party Plaintiff's Complaint is admitted.

187. Paragraph 187 of Third Party Plaintiff's Complaint is admitted.

188. Paragraph 188 of Third Party Plaintiff's Complaint is admitted.

189. Paragraph 189 of Third Party Plaintiff's Complaint is admitted.

190. Paragraph 190 of Third Party Plaintiff's Complaint is admitted.

191. Paragraph 191 of Third Party Plaintiff's Complaint is admitted.

192. Paragraph 192 of Third Party Plaintiff's Complaint is admitted.

193. Paragraph 193 of Third Party Plaintiff's Complaint is admitted.

194. Paragraph 194 of Third Party Plaintiff's Complaint is admitted.

195. Paragraph 195 of Third Party Plaintiff's Complaint is admitted.

B. General Allegations Regarding Third Party Defendants

196. Paragraph 196 of Third Party Plaintiff's Complaint is admitted.

197. Paragraph 197 of Third Party Plaintiff's Complaint is denied..

198. Paragraph 198 of Third Party Plaintiff's Complaint is admitted insofar as it concerns the Third Party Defendant City of Tahlequah. The remainder of Third Party Plaintiff's Complaint is denied.

199. Paragraph 199 of Third Party Plaintiff's Complaint is admitted insofar as it concerns the Third Party Defendant City of Tahlequah. The remainder of Third Party Plaintiff's Complaint is denied.

200. Paragraph 200 of Third Party Plaintiff's Complaint is denied.

201. Paragraph 200 of Third Party Plaintiff's Complaint is denied.

202. Paragraph 202 of Third Party Plaintiff's Complaint is admitted.

203. Paragraph 203 of Third Party Plaintiff's Complaint is denied.

204. Paragraph 204 of Third Party Plaintiff's Complaint is admitted.

205. Paragraph 205 of Third Party Plaintiff's Complaint is denied.

206. Paragraph 206 of Third Party Plaintiff's Complaint is denied..

207. Paragraph 207 of Third Party Plaintiff's Complaint is denied.

208. Paragraph 208 of Third Party Plaintiff's Complaint is denied.

209. Paragraph 209 of Third Party Plaintiff's Complaint is denied.

210. Paragraph 210 of Third Party Plaintiff's Complaint is denied.

211. Paragraph 211 of Third Party Plaintiff's Complaint is denied.

212. Paragraph 212 of Third Party Plaintiff's Complaint is denied.

213. Paragraph 213 of Third Party Plaintiff's Complaint is denied.

214. Paragraph 214 of Third Party Plaintiff's Complaint is admitted.

215. Paragraph 215 of Third Party Plaintiff's Complaint is denied.

216. Paragraph 216 of Third Party Plaintiff's Complaint is denied.

217. Paragraph 217 of Third Party Plaintiff's Complaint is denied.

218. Paragraph 218 of Third Party Plaintiff's Complaint is admitted.

219. Paragraph 219 of Third Party Plaintiff's Complaint is denied.

220. Paragraph 220 of Third Party Plaintiff's Complaint is denied.

221. Paragraph 221 of Third Party Plaintiff's Complaint is denied.

PRAYER FOR RELIEF

The Defendant City of Tahlequah denies the Prayer for Relief set forth in Third Party Plaintiff's Complaint.

AFFIRMATIVE DEFENSES

- That pursuant to Federal Rule 12 (B)3 that Venue is not proper in the United States District Court for the Northern District of Oklahoma in that this

Defendant has not been accused of any activity that occurred in the Northern District of Oklahoma.

- That all of the Illinois River located within the State of Oklahoma and all of Lake Tenkiller are located in the Eastern District of Oklahoma.
- That approximately 12 of the named 160 Third Party Defendants have been accused of activities that occurred in the Northern District of Oklahoma.
- That the Tahlequah City Golf Course is not located at Rt. 1 Box 189, Vian, Oklahoma. It is located in the City of Tahlequah, Oklahoma.
- That the Tahlequah City Golf Course is not located in the Illinois River watershed. It is located in the Grand River watershed.
- That the City of Tahlequah does not operated its own water and sewage disposal facilities. These are operated by an independent party.
- That the damages, if any, to the Third Party Plaintiffs were caused by the negligence or activities of Third Parties over whom this Defendant has no control.
- Failure to state a claim upon which relief can be granted.
- Lack of causation.

Wherefore the Third Party Defendant City of Tahlequah prays that this Court dismiss the above captioned matter on the basis of improper venue as it relates to this Defendant. Further, the Defendant, City of Tahlequah prays that the Third Party Plaintiffs take nothing by their causes of action and that the Defendant be awarded all available legal and equitable relief as the Court may determine just, equitable, and proper under the facts and circumstances herein.

Respectfully submitted,

City of Tahlequah

By: _____

PARK MEDEARIS, (Okla. Bar No. 11926)

Medearis Law Firm, PLLC

226 West Choctaw

Tahlequah, OK 74464

(918) 456-4848 fax (918) 456-8080

City Attorney, City of Tahlequah

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 2006, I electronically transmitted the attached document to the Clerk of the Court using the ECF system for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

W.A. Drew Edmondson Douglas Allen Wilson

Attorney General Melvin David Riggs

State of Oklahoma Richard T. Garren

2300 North Lincoln Blvd., Suite 112 Sharon K. Weaver

Oklahoma City, OK 73105 Riggs Abney Neal Turpen Orbison & Lewis

And 502 West 6th Street

Tulsa, OK 74119-1010

and

J. Randall Miller Robert Allen Nance

David P. Page Dorothy Sharon Gentry

Louis W. Bullock Riggs Abney

Miller Keffer & Bullock 5801 North Broadway, Suite 101

222 South Kenosha Oklahoma City, OK 73118

Tulsa, OK 74120-2421

and

COUNSEL FOR PLAINTIFFS

John H. Tucker Robert P. Redemann

Theresa Noble Hill Lawrence W. Zeringue

Rhodes, Hieronymus, Jones, Tucker & Gable David C. Senger

P.O. Box 21100 Perrine, McGivern, Redemann, Reid, Berry &

Tulsa, OK 74121-1100 Taylor, PLLC

COUNSEL FOR CARGILL, INC. AND P.O. BOX 1710

CARGILL TURKEY PRODUCTION, Tulsa, OK 74101-1710

LLC COUNSEL FOR CAL-MAINE FARMS, INC. AND CAL-MAINE FOODS, INC.

I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

Elizabeth C. Ward C. Miles Tolbert

Frederick C. Baker Secretary of the Environment

Motley Rice LLC State of Oklahoma

28 Bridgeside Blvd. 3800 North Classen

Mount Pleasant, SC 29464 Oklahoma City, OK 73118

and

William H. Narwold

Motley Rice LLC

20 Church St., 17th Floor

Hartford, CT 06103

and

COUNSEL FOR PLAINTIFFS

Robert E. Sanders Thomas C. Green

E. Stephen Williams Mark D. Hopson

Young Williams P.A. Jay Thomas Jorgensen

P.O. Box 23059 Timothy K. Webster

Jackson, MS 39225-3059 Sidley Austin Brown & Wood, LLP

COUNSEL FOR CAL-MAINE FARMS, INC. 1501 K. Street NW

AND CAL-MAINE FOODS, INC. Washington, DC 20005

COUNSEL FOR TYSON FOODS, INC.,

TYSON POULTRY, INC., TYSON

CHICKEN, INC., AND COBB-VANTRESS,

INC.

PARK MEDEARIS